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Katherine A. Powell, CSR, CRR

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THE CLERK: Calling civil case number C07-2688,

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Skywest Pilots versus Skywest Airlines.

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Please state you're appearances, Counsel.

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4 didn't want a three-page motion on our side that really doesn't
5 have the actual testimony and it's only going to be --

6 THE COURT: Do you want to do it on Tuesday and have
7 them respond on Thursday? Is that better?

8 MS. STAMBELOS: If it would delay the Court's ruling,
9 then --

10 THE COURT: It's not going to delay. 24 hours, the
11 world is not going to end, right?

12 MS. LYE: What scheduling would you like for the
13 paragraph 3 remedy issue, Your Honor?

14 THE COURT: Well, that's a good question. Do you
15 have any thoughts on that? I think you should get -- I think
16 you should address it next week early on. So what suits you?

17 MS. LYE: Is Tuesday, Thursday also?

18 THE COURT: Sure.

19 MS. LYE: Thank you.

20 MR. SPAGAT: What did we just agree to?

21 MS. LYE: The same briefing schedule. So your motion
22 to strike due Tuesday, our follow-up on the remedy issue due
23 Tuesday, and then responses --

24 MR. QUANDT: Why would we file first and you have a
25 chance to read our brief on that particular issue?

NOLIN - CROSS EXAMINATION / SPAGAT 129

1 THE COURT: No, no, no. The question is, as I
2 understand it -- what I'd like to do is hear from the
3 plaintiffs as to the propriety of -- including paragraph 3 in
4 the injunctive relief order addressing that issue.

5 MS. LYE: Actually, on this one, Your Honor, it seems
6 simultaneous briefing would be more appropriate.

7 THE COURT: Just give me your reasons, and then they
8 can respond. Then if you feel compelled to write something,

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9 maybe you have to write something. I don't know. Just see.
10 You know, take a look at it. You know, I have in mind your
11 argument, so -- but you better put it in writing. You said
12 certain things about this, and so I want to see whether there
13 is some authority that I would look at that would be helpful on
14 this subject.

15 MS. LYE: Okay.

16 MR. QUANDT: So the briefing schedule on both again,
17 one more time, is what?

18 MS. LYE: Tuesday and Thursday.

19 MR. QUANDT: Tuesday and Thursday. But it's split.
20 We go first on the motion to strike and you go first on the
21 paragraph 3 motion?

22 THE COURT: Yes.

23 MR. QUANDT: Or issue.

24 MS. LYE: That's my understanding.

25 THE COURT: Yes.

NOLIN - CROSS EXAMINATION / SPAGAT 130

1 MR. QUANDT: I understand. Yes, Your Honor.

2 THE COURT: Yes.

3 MS. LYE: There was extensive argument yesterday on
4 the jurisdictional issue, Your Honor, and --

5 THE COURT: Well, I think I'm going to fight that
6 battle -- well, I can see it in the motion to dismiss, I
7 suppose. Is there anything more that needs to be said about
8 it?

9 MR. QUANDT: No. We briefed it extensively and we
10 have argued extensively.

11 THE COURT: Right. Everybody has been able to
12 misquote cases with equal ease on both sides. The Bartholomew
13 case, I think you cited the National Mediation Board decision?